

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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|--------------|---------------------|-----------------|------------------|
| APPLICANTS: | Michael Kowalchik | GROUP ART UNIT: | Not Yet Assigned |
| U.S.S.N.: | Not Yet Assigned | EXAMINER: | Not Yet Assigned |
| FILING DATE: | Herewith | | |
| TITLE: | DATA STORAGE DEVICE | | |

17858 U.S. PTO
10/731622
120903

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Date: 12/8/03

By: Linda Valanzola

Print Name: Linda Valanzola

PATENT APPLICATION TRANSMITTAL

Mail Stop PATENT APPLICATION
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith for filing is a patent application entitled:

DATA STORAGE DEVICE

This application is a Continuation-in-Part of U.S. Application Serial No. 10/004,090, entitled DATA STORAGE DEVICE, filed October 23, 2001.

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Named Inventor(s) / Inventor Address(es) / Inventor Citizenship(s):

| | |
|------------------|---------------------------------------|
| Inventor's Name: | Michael Kowalchik |
| Residence: | 3 Harvard Street, Arlington, MA 02476 |
| Citizenship: | USA |

| | |
|------------------|--------------------------------------|
| Inventor's Name: | John T. Cardente |
| Residence: | 58 Whitewood Road, Milford, MA 01757 |
| Citizenship: | USA |

Enclosed are:

- [x] Transmittal Letter (this form, 3 Pages, IN DUPLICATE) Total Pages: 6;
- [x] Copy of Specification filed in patent case including Cover Sheet, Title of the Invention, Background of the Invention, Summary of the Invention, Brief Description of the Drawings, Detailed Description, 29 Claims (3 Independent, 26 dependent), Abstract of the Disclosure, Total Pages: 21 ;
- [x] Copy of Drawings in Parent Case: [x] Formal, [] Informal (Figs: 1-12), Total Sheets: 12;
- [x] Preliminary Amendment, indicating Continuation-in-Part Application, with 21 Claims (6 Independent, 15 Dependent), and New Drawing: Fig. 13, Total Pages, 14
- [x] Newly Executed Oath/Declaration/Power Of Attorney, Total Pages: 3;
- [x] Assignment Papers (Assignment Recordation Cover Sheet 1 page, 1 Duplicate Copy, Copy of Assignment Document, 3pages), Total Pages: 5 ;
- [x] Request and Certification Under 35 U.S.C. 122(b)(2)(B)(I); Total Sheets: 1;
- [x] Return Receipt Postage Pre-paid Postcard;
- [x] Authorization to charge deposit account; with fee amounts calculated as follows:

| CLAIMS | Number Filed | Number Extra | Rate | Calculations |
|---|--------------|--------------|---------|------------------|
| Total Claims | 21 - 20 = | 1 | x \$18 | \$18.00 |
| Independent Claims | 6 - 3 = | 3 | x \$86 | \$258.00 |
| Multiple Independent Claims | | | + 270 = | 0 |
| BASIC FILING FEE = | | | | \$770.00 |
| Total of Above Calculations = | | | | \$1046.00 |
| Assignment Recordation Fee = | | | | \$40.00 |
| TOTAL FEE FOR THIS PATENT APPLICATION = | | | | <u>\$1086.00</u> |

Please direct all telephone calls and address all correspondence to:

Scott A. Ouellette, Esq.
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Please charge any fees associated with this transaction to Deposit Account No. 05-0889.

If the enclosed papers or fees are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned collect at (508) 435-1000 Ext. 77835, in Hopkinton, Massachusetts.

Respectfully submitted,

Dated: 12/8/03

By: Scott A. Ouellette

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**NONPUBLICATION REQUEST
UNDER
35 U.S.C. 122(b)(2)(B)(i)**

First Named Inventor Michael Kowalchik

Title Data Storage Device

Attorney Docket Number EMC-01-102CIP1

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.

I hereby request that the attached application not be published under 35 U.S.C. 122(b).

12/08/03

Date

Scott A. Ouellette

Signature

508-293-7835

Telephone number

Scott A. Ouellette

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

This collection of information is required by 37 CFR 1.213(a). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 6 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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